

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

FEDERAL INSURANCE CO., as subrogee	:	CIVIL ACTION NO. 1:10-CV-617
of FULTON FINANCIAL CO.,	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
HANDWERK SITE CONTRACTORS,	:	
UGI CORPORATION and UGI	:	
UTILITIES, INC.,	:	
Defendants	:	

ORDER

AND NOW, this 23rd day of November, 2010, upon consideration of the report of United States Magistrate Judge William T. Prince (Doc. 22), recommending that defendant's motion to dismiss and/or motion to stay proceedings (Doc. 13) be denied, and, following an independent review of the record and noting that defendant Handwerk Site Contractors filed objections¹ to the report on September 10, 2010 (Doc. 23), and the court finding Judge Prince's analysis to be thorough and well-reasoned, and the court finding defendant's objections to be without merit and squarely addressed by Judge Prince's report, it is hereby ORDERED that:

1. The report of Magistrate Judge Prince (Doc. 22) DENYING defendant's motion to dismiss and/or motion to stay is ADOPTED.

¹ Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at *3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at *6 (M.D. Pa. Sept. 8, 2008)).

2. The motion of Defendant Handwerk Site Contractors (Doc. 13) is HEREBY DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge